

## REMARKS

The following remarks are responsive to the Office Action of April 21, 2008.

Claims 1-4, 6-21, 24 and 25 are currently pending in the application. Claims 20, 21 and 24 were rejected under 35 U.S.C. §103(a) as obvious over Sugimoto (U.S. Patent No. 6,829,009) in view of Stockton et al. (U.S. Patent Application Publication No. 2002/0146250). Claims 1-4, 6-19 and 25 were rejected under 35 U.S.C. §103(a) as obvious over Sugimoto in view of Hong (KR 2000-0030838) and Stockton et al.

### **35 U.S.C. §103(a), Claims 20, 21, and 24 Obviousness over Sugimoto in view of Stockton**

*1. Applicant has amended independent claim 20 to include the limitation that the initially active menu item is further dependent upon a user identification.*

In the OA, on pp. 2-5, the Examiner rejected independent claim 20 as being disclosed by the combination of Sugimoto and Stockton, and related various elements disclosed in the references to the elements of present claim 20.

Applicant has further amended independent claim 20 to include the limitation that the setting of the initially active menu item further depends on a user identification. Support for this limitation can be found on p. 9, Ins. 14-22 of the Specification.

By adding this limitation, the menu display order can vary, in addition to the operation mode in use, according to user. Thus, the camera can be used by more than one user, and, for each of the operation modes, the most frequently used menu item is indicated as being active, per user, per operation mode menu.

The combination of Sugimoto and Stockton does not teach or suggest a management of a menu frequency that is based both on a user identification *and* for a given user, the particular operating mode in use. These references are silent as to any recognition of a configuration for menu items that is salient to a particular user. Advantageously, one user of a camera would not be able to have an impact on the menu configurations of another user, as would be the case with the prior art cameras disclosed.

Therefore, for this reason, and based on the amendment to claim 20, Applicant respectfully asserts that independent claim 20 is not obvious over the combination of Sugimoto and Stockton and request that the 35 U.S.C. §103 rejection be withdrawn from independent claim 20, as well as dependent claims 21 and 24 which are non-obvious by virtue of their dependence from claim 20.

**35 U.S.C. §103(a), Claims 1–4, 6–19, and 25 Obviousness over Sugimoto in view of Hong and Stockton**

*2. Applicant has amended independent claims 1, 12, and 20 to include the limitation that the initially active menu item is further dependent upon a user identification.*

In the OA, on pp. 5–9, the Examiner rejected independent claims 1 and 12 as being disclosed by the combination of Sugimoto, Hong, and Stockton, and related various elements disclosed in the references to the elements of present claims 1 and 12.

Applicant has further amended independent claims 1, 12, and 20 to include the limitation that the setting of the initially active menu item further depends on a user identification. Support for this limitation can be found on p. 9, Ins. 14–22 of the Specification.

As noted above, by adding this limitation, the menu display order can vary, in addition to the operation mode in use, according to user. Thus, the camera can be used by more than one user, and, for each of the operation modes, the most frequently used menu item is indicated as being active, per user, per operation mode menu.

Although Hong does discuss the user login procedure, it does not do so in the context of menu item order on a per-user, per-operation mode basis, as now claimed by the presently amended claims.

The combination of Sugimoto, Hong, and Stockton does not teach or suggest a management of a menu frequency that is based both on a user identification *and* for a given user, the particular operating mode in use. These references are silent as to any recognition

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of a configuration for menu items that is salient to a particular user within an operation mode. Thus, as noted above, the claims, as presently amended advantageously, to preclude the actions of one user of a camera from impacting the menu configurations of another user, as would be the case with the prior art cameras disclosed.

Therefore, for this reason, and based on the amendment to independent claims 1, 12, and 20, Applicant respectfully asserts that independent claims 1, 12, and 20 are not obvious over the combination of Sugimoto, Hong, and Stockton and request that the 35 U.S.C. §103 rejection be withdrawn from independent claims 1 and 12, as well as dependent claims 2–4, 6–11, and 13–19 that depend therefrom, as well as claim 25 that depends from independent claim 20 by virtue of their dependence from the respective independent claims.

### **Conclusion**

For the foregoing reasons, all pending claims in the present application are believed to be allowable. Thus, the application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

/brian c.rupp/

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